

Matter of 2002 Biennial Regulatory Review—Review of the Commission's Broadcast Ownership Rules and Other Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996 et. al." (FCC03-127) received on July 10, 2003; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. COCHRAN, from the Committee on Appropriations, with an amendment in the nature of a substitute:

H.R. 2555. A bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2004, and for other purposes (Rept. No. 108-86).

By Mr. STEVENS, from the Committee on Appropriations:

Report to accompany S. 1382, An original bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2004, and for other purposes (Rept. No. 108-87).

By Mr. CAMPBELL, from the Committee on Appropriations:

Report to accompany S. 1383, An original bill making appropriations for the Legislative Branch for the fiscal year ending September 30, 2004, and for other purposes (Rept. No. 108-88).

By Mr. BURNS, from the Committee on Appropriations, without amendment:

S. 1391. An original bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2004, and for other purposes (Rept. No. 108-89).

By Mr. HATCH, from the Committee on the Judiciary, without amendment and with a preamble:

S. Res. 140. A resolution designating the week of August 10, 2003, as "National Health Center Week".

By Mr. HATCH, from the Committee on the Judiciary, without amendment:

S. 764. A bill to extend the authorization of the Bulletproof Vest Partnership Grant Program.

By Mr. HATCH, from the Committee on the Judiciary, with an amendment:

S. 1280. A bill to amend the Protect Act to clarify certain volunteer liability.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. HATCH for the Committee on the Judiciary:

Allyson K. Duncan, of North Carolina, to be United States Circuit Judge for the Fourth Circuit.

Robert C. Brack, of New Mexico, to be United States District Judge for the District of New Mexico.

Samuel Der-Yeghiayan, of Illinois, to be United States District Judge for the Northern District of Illinois.

Louise W. Flanagan, of North Carolina, to be United States District Judge for the Eastern District of North Carolina.

Lonny R. Suko, of Washington, to be United States District Judge for the Eastern District of Washington.

Earl Leroy Yeakel III, of Texas, to be United States District Judge for the Western District of Texas.

Karen P. Tandy, of Virginia, to be Administrator of Drug Enforcement.

Christopher A. Wray, of Georgia, to be an Assistant Attorney General.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. KERRY:

S. 1386. A bill to amend titles 10 and 14, United States Code, to provide for the use of gold in the metal content of the Medal of Honor; to the Committee on Armed Services.

By Mr. CORNYN:

S. 1387. A bill to amend the Immigration and Nationality Act to authorize the establishment of guest worker programs, to provide for the adjustment of status of certain aliens unlawfully present in the United States to the status of a non-immigrant guest worker, and for other purposes; to the Committee on the Judiciary.

By Mr. MCCAIN (for himself and Mr. FEINGOLD):

S. 1388. A bill to amend the Federal Election Campaign Act of 1971 to replace the Federal Election Commission with the Federal Election Administration, and for other purposes; to the Committee on Rules and Administration.

By Mr. MCCAIN (for himself and Mr. HOLLINGS):

S. 1389. A bill to authorize appropriations for the Surface Transportation Board for fiscal years 2004 through 2008, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. ENSIGN (for himself and Mr. ALEXANDER):

S. 1390. A bill to protect children and their parents from being coerced into administering a controlled substance in order to attend school, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BURNS:

S. 1391. An original bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2004, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. HARKIN:

S. 1392. A bill to amend the Richard B. Russell National School Lunch Act to improve the nutrition of students served under child nutrition programs; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. HARKIN (for himself, Mr. CRAPO, and Ms. STABENOW):

S. 1393. A bill to amend the Richard B. Russell National School Lunch Act to reauthorize and expand the fruit and vegetable pilot program; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. HATCH:

S.J. Res. 15. A joint resolution proposing an amendment to the Constitution of the United States to make eligible for the Office of President a person who has been a United States citizen for 20 years; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 50

At the request of Mr. JOHNSON, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 50, a bill to amend title 38, United States Code, to provide for a guaranteed adequate level of funding for veterans health care, and for other purposes.

S. 202

At the request of Mr. DEWINE, the name of the Senator from Nevada (Mr.

REID) was added as a cosponsor of S. 202, a bill to amend the Internal Revenue Code of 1986 to allow as a deduction in determining adjusted gross income that deduction for expenses in connection with services as a member of a reserve component of the Armed Forces of the United States, to allow employers a credit against income tax with respect to employees who participate in the military reserve components, and to allow a comparable credit for participating reserve component self-employed individuals, and for other purposes.

S. 249

At the request of Mrs. CLINTON, the names of the Senator from Massachusetts (Mr. KERRY) and the Senator from West Virginia (Mr. ROCKEFELLER) were added as cosponsors of S. 249, a bill to amend title 38, United States Code, to provide that remarriage of the surviving spouse of a deceased veteran after age 55 shall not result in termination of dependency and indemnity compensation otherwise payable to that surviving spouse.

S. 253

At the request of Mrs. MURRAY, her name was added as a cosponsor of S. 253, a bill to amend title 18, United States Code, to exempt qualified current and former law enforcement officers from State laws prohibiting the carrying of concealed handguns.

S. 377

At the request of Ms. LANDRIEU, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 377, a bill to require the Secretary of the Treasury to mint coins in commemoration of the contributions of Dr. Martin Luther King, Jr., to the United States.

S. 465

At the request of Mrs. MURRAY, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 465, a bill to amend title XVIII of the Social Security Act to expand medicare coverage of certain self-injected biologicals.

S. 480

At the request of Mr. HARKIN, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 480, a bill to provide competitive grants for training court reporters and closed captioners to meet requirements for realtime writers under the Telecommunications Act of 1996, and for other purposes.

S. 573

At the request of Mr. FRIST, the name of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of S. 573, a bill to amend the Public Health Service Act to promote organ donation, and for other purposes.

S. 595

At the request of Mr. HATCH, the name of the Senator from Rhode Island (Mr. CHAFEE) was added as a cosponsor of S. 595, a bill to amend the Internal Revenue Code of 1986 to repeal the required use of certain principal repayments on mortgage subsidy bond

financings to redeem bonds, to modify the purchase price limitation under mortgage subsidy bond rules based on median family income, and for other purposes.

S. 596

At the request of Mr. ENSIGN, the names of the Senator from Missouri (Mr. BOND) and the Senator from Missouri (Mr. TALENT) were added as cosponsors of S. 596, a bill to amend the Internal Revenue Code of 1986 to encourage the investment of foreign earnings within the United States for productive business investments and job creation.

S. 610

At the request of Mr. VOINOVICH, the name of the Senator from Alabama (Mr. SHELBY) was added as a cosponsor of S. 610, a bill to amend the provisions of title 5, United States Code, to provide for workforce flexibilities and certain Federal personnel provisions relating to the National Aeronautics and Space Administration, and for other purposes.

S. 623

At the request of Mr. WARNER, the name of the Senator from Montana (Mr. BURNS) was added as a cosponsor of S. 623, a bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums.

S. 656

At the request of Mr. REED, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 656, a bill to provide for the adjustment of status of certain nationals of Liberia to that of lawful permanent residence.

S. 687

At the request of Mrs. BOXER, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 687, a bill to amend title 10, United States Code, to prohibit the concurrent deployment to combat zones of both military spouses of military families with minor children, and for other purposes.

S. 722

At the request of Mr. DURBIN, the names of the Senator from New York (Mrs. CLINTON) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 722, a bill to amend the Federal Food, Drug, and Cosmetic Act to require that manufacturers of dietary supplements submit to the Food and Drug Administration reports on adverse experiences with dietary supplements, and for other purposes.

S. 764

At the request of Mr. LEAHY, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 764, a bill to extend the authorization of the Bulletproof Vest Partnership Grant Program.

S. 780

At the request of Mr. LOTT, the names of the Senator from Utah (Mr.

HATCH) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 780, a bill to award a congressional gold medal to Chief Phillip Martin of the Mississippi Band of Choctaw Indians.

S. 896

At the request of Mrs. MURRAY, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 896, a bill to establish a public education and awareness program relating to emergency contraception.

S. 982

At the request of Mr. SANTORUM, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 982, a bill to halt Syrian support for terrorism, end its occupation of Lebanon, stop its development of weapons of mass destruction, cease its illegal importation of Iraqi oil, and hold Syria accountable for its role in the Middle East, and for other purposes.

S. 1035

At the request of Mr. CORZINE, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1035, a bill to amend title 10, United States Code, to reduce the age for receipt of military retired pay for nonregular service from 60 to 55.

S. 1046

At the request of Mr. HOLLINGS, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1046, a bill to amend the Communications Act of 1934 to preserve localism, to foster and promote the diversity of television programming, to foster and promote competition, and to prevent excessive concentration of ownership of the nation's television broadcast stations.

S. 1172

At the request of Mr. FRIST, the name of the Senator from Colorado (Mr. CAMPBELL) was added as a cosponsor of S. 1172, a bill to establish grants to provide health services for improved nutrition, increased physical activity, obesity prevention, and for other purposes.

S. 1238

At the request of Mrs. LINCOLN, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 1238, a bill to amend titles XVIII, XIX, and XXI of the Social Security Act to improve women's health, and for other purposes.

S. 1245

At the request of Ms. COLLINS, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 1245, a bill to provide for homeland security grant coordination and simplification, and for other purposes.

S. 1263

At the request of Mr. HAGEL, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 1263, a bill to amend the Internal Revenue Code of 1986 to exclude from gross income interest received on loans secured by agricultural real property.

S. 1368

At the request of Mr. LEVIN, the names of the Senator from Tennessee (Mr. ALEXANDER) and the Senator from Indiana (Mr. BAYH) were added as cosponsors of S. 1368, a bill to authorize the President to award a gold medal on behalf of the Congress to Reverend Doctor Martin Luther King, Jr. (posthumously) and his widow Coretta Scott King in recognition of their contributions to the Nation on behalf of the civil rights movement.

S. 1380

At the request of Mr. SMITH, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 1380, a bill to distribute universal service support equitably throughout rural America, and for other purposes.

S. 1381

At the request of Ms. SNOWE, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. 1381, a bill to amend the Internal Revenue Code of 1986 to modify certain provisions relating to the treatment of forestry activities.

S. CON. RES. 2

At the request of Mr. CORZINE, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. Con. Res. 2, a concurrent resolution expressing the sense of the Congress that the United States Postal Service should issue commemorative postage stamps honoring Americans who distinguished themselves by their service in the armed forces.

S. CON. RES. 21

At the request of Mr. BUNNING, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. Con. Res. 21, a concurrent resolution expressing the sense of the Congress that community inclusion and enhanced lives for individuals with mental retardation or other developmental disabilities is at serious risk because of the crisis in recruiting and retaining direct support professionals, which impedes the availability of a stable, quality direct support workforce.

S. CON. RES. 53

At the request of Mr. LEVIN, the name of the Senator from Ohio (Mr. DEWINE) was added as a cosponsor of S. Con. Res. 53, a concurrent resolution honoring and congratulating chambers of commerce for their efforts that contribute to the improvement of communities and the strengthening of local and regional economies.

S. RES. 169

At the request of Mrs. CLINTON, the names of the Senator from Minnesota (Mr. COLEMAN), the Senator from Indiana (Mr. BAYH) and the Senator from Nevada (Mr. ENSIGN) were added as cosponsors of S. Res. 169, a resolution expressing the sense of the Senate that the United States Postal Service should issue a postage stamp commemorating Anne Frank.

AMENDMENT NO. 1135

At the request of Mr. LAUTENBERG, the name of the Senator from New Jersey (Mr. CORZINE) was added as a cosponsor of amendment No. 1135 proposed to S. 925, an original bill to authorize appropriations for the Department of State and international broadcasting activities for fiscal year 2004 and for the Peace Corps for fiscal years 2004 through 2007, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KERRY:

S. 1386. A bill to amend titles 10 and 14, United States Code, to provide for the use of gold in the metal content of the Medal of Honor; to the Committee on Armed Services.

Mr. KERRY. Madam President, today I introduce a bill that would help give our most highly honored veterans a medal more worthy of their bravery and sacrifice by requiring the use of 90 percent gold in the Congressional Medal of Honor instead of gold-plated brass, as is currently used.

The Congressional Medal of Honor is the highest award our country bestows for valor in action against an enemy force. These are ordinary soldiers who performed extraordinary deeds in battle, often giving what President Lincoln termed "the final full measure" in doing so.

This is the medal won by Marine Corps pilot, Captain Joe Foss, who in less than 30 days of combat over Guadalcanal, shot down 23 enemy planes, three in one engagement, and is credited with turning back an entire Japanese bombing mission before it could drop a single bomb.

This is the medal won by Army Private Edward Moskala who set aside his personal safety one night on the Island of Okinawa to assault two machine gun nests, provide cover for his unit as it withdrew, and rescue fallen comrades amidst a hail of enemy fire before finally suffering a mortal wound.

This is the medal won by Pharmacist's Mate First Class Francis Pierce, Jr., who on the island of Iwo Jima exposed himself repeatedly to enemy fire to save the lives of Marines he accompanied, traversing open terrain to rescue comrades and assaulting enemy positions that endangered his wounded comrades.

This is the medal won by Marine Corps Second Lieutenant Robert Dale Reem, who on the night of November 6, 1950, after leading three separate assaults on an enemy position in the vicinity of Chinhung-ni, Korea, threw himself on top of an enemy grenade that landed amidst his men.

This is the medal won by Air Force Captain Hilliard A. Wilbanks who made repeated strafing runs over an advancing enemy element near Dalat, Republic of Vietnam on February 24, 1967. Captain Wilbanks' aircraft, it should be noted, was neither armed nor armored.

He made the assaults by sticking his rifle out the window and flying low over the enemy. His action saved the lives of friendly forces, but it cost him his own.

The feats that earned these medals are the stuff of legend. But they are not legends. They are actual deeds that inspire humility and gratitude in all of us. In bestowing the Congressional Medal of Honor, the president enrolls the recipient in a sacred club of heroes.

Regrettably, the medal itself, though gold in color, is actually brass plated with gold. It costs only about \$30 to craft the award itself. I will be the first to tell you that the value of the Congressional Medal of Honor is not in the metal content of the award, but in the deeds done to earn it. But if you compare the \$30 we invest in this, our Nation's highest award for valor, with the \$30,000 Congressional medals presented to foreign dignitaries, famous singers, and other civilians, you will agree that we can do better.

Put simply, this legislation will forge a medal more worthy of the esteem with which the nation holds those few who have earned the Congressional Medal of Honor through valor and heroism beyond compare.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objections, the bill was ordered to be printed in the RECORD, as follows:

S. 1386

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. GOLD CONTENT FOR MEDAL OF HONOR.

(a) REQUIREMENT FOR GOLD CONTENT.—Sections 3741, 6241, and 8741 of title 10, United States Code, and section 491 of title 14, United States Code, are each amended by inserting "the metal content of which is 90 percent gold and 10 percent alloy and" after "appropriate design".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to any award of the Medal of Honor after the date of the enactment of this Act.

By Mr. MCCAIN (for himself and Mr. FEINGOLD):

S. 1388. A bill to amend the Federal Election Campaign Act of 1971 to replace the Federal Election Commission with the Federal Election Administration, and for other purposes; to the Committee on Rules and Administration.

Mr. MCCAIN. Madam President, last year, Congress took the important step of restoring the health and integrity of our campaign finance system when it enacted the Bipartisan Campaign Reform Act of 2002, BCRA. However, the Federal Election Commission, FEC, has continually acted as a bureaucratic barrier to reform of the system. Time and time again, these unelected officials of the FEC have thwarted the enforcement of the Nation's campaign finance laws in deference to the partisan wishes of those who have appointed them.

Along with Senator FEINGOLD, I rise today to introduce legislation entitled the Federal Election Administration Act of 2003. This legislation creates a new independent agency, the Federal Election Administration, FEA, which replaces the Federal Election Commission in order to create a new system that finally enforces Federal campaign finance laws.

Although it was set up to administer and enforce the Federal campaign finance laws, the FEC has not been doing its job. The FEC is a weak and failing agency, structured by Congress to be slow and ineffective, composed of commissioners whose appointments are tightly controlled by the Members of Congress and political parties they regulate, and has been impeded by a continual lack of resources. This legislation replaces the current system with a more effective campaign finance enforcement system.

In its current form, the FEC has been faced with three major problems. The first problem has been that the FEC was structured by Congress to be ineffective.

Prior to the creation of the FEC, Members of Congress feared that this proposed enforcement agency ran the risk of becoming too powerful. To ease these fears, Congress structured an agency designed to fail from the start. The FEC has six members, no more than three of whom can be members of the same political party. In practice, this has meant that there have been three Republicans and three Democrats as commissioners. Only stalemate and inaction on key issues have resulted. On important issues the votes have often been cast on a partisan basis, resulting in 3-3 deadlocks. Furthermore, the affirmative votes of four members are necessary for the FEC to act. Therefore, 3-3 ties have led to inaction.

Partisanship has encroached upon nearly every major decision the FEC's six commissioners make. These partisan standoffs have stopped the FEC from enforcing actions against politicians and special interest groups, even when the FEC's general counsel has recommended that such enforcement proceed. FEC votes have been politicized to the point where commissioners of both parties have banded together to reject their staff's enforcement recommendations to serve the special interests of both parties.

The FEC has lacked important powers. The FEC cannot make its own findings that a violation occurred, cannot seek court injunctions to stop illegal activity, and cannot conduct random audits of campaigns. The FEC cannot directly impose penalties, except in very minor matters. In short, the FEC can do little to enforce the law. Compounding this problem is that the FEC has sole jurisdiction over all enforcement of campaign finance laws. No matter how slow the FEC's proceedings are, no one can seek civil enforcement of the law through the courts. All complaints must be filed